

REMARKS

I. Response to Rejections Under 35 USC §103

At page 3, item 3 of the Office Action, claims 1-28 are rejected under 35 USC §103(a) as being unpatentable over Smith et al. (US Patent number 6052669, hereinafter referred to as '669). However, '669 does not disclose or suggest or mention a method for ordering a consumer item that includes the step of "receiving statistical information from a plurality of users so that ordering trends and tendencies can be examined by a merchant", as recited in amended independent claim 1. Nor does '669 suggest or mention an ordering system that includes "a statistical module that receives statistical information from a plurality of users so that ordering trends and tendencies can be examined by a merchant", as recited in amended independent claim 20. (Support for these additional claim limitations can be found at page 12, line 16 through page 13, line 8, and in Figure 3 at item 355 of the specification.)

In '669, a graphical user interface supporting a method and system for remote order generation of furniture products is disclosed. In '669, the interface includes interface objects for obtaining configuration criteria from a user; presenting the user with at least one typical configuration satisfying the criteria, and so forth. However, at no point within the confines of '669 is there any mention of the system receiving or processing statistical information. In fact, the word "statistical", or any variation of the word, does not appear anywhere within the '669 disclosure.

Thus, since '669 is silent on any aspect of the system receiving or examining statistical information from the users, Applicants believe that the inventions of claims 1 and 20 are *not* embraced by the '669 disclosure. Further, as the Examiner has provided no compelling motivation to combine the '669 disclosure with another reference to produce the invention of claims 1 and 20, the Examiner has not provided a prima facie case for obviousness under the laws of 35 USC §103.

Accordingly, the Applicants respectfully request that the Examiner withdraw all rejections to the claims and pass this application onto allowance.

II. **Additional Fees**

If any additional fee is required in connection with the filing of this Amendment, please charge the fee to Deposit Account No. 08-2025.

Respectfully Submitted,
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